

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
OCTOBER 25, 2007**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Michael Mower, Gordon Cross, Kathy Robertson, Barry Conger, Kim Fleming, and Frank DeKort. Gene Dziza and Don Hines had an excused absence. Jeff Harris represented the Flathead County Planning & Zoning Office.

There were approximately 20 people in the audience.

PUBLIC REVIEW

Gordon Cross reviewed the public hearing process.

**APPROVAL OF
MINUTES**

No minutes were approved.

**PUBLIC
COMMENT
(not related to
agenda items)**

None.

**RIVERDALE
STAFF REPORT**

Jeff Harris reviewed the Riverdale Plan.

**BOARD
QUESTIONS**

None.

APPLICANT

Hank Galpin, 1885 Stillwater Road, is a major land owner in the Riverdale Plan. They hired professional help and fired them because they weren't doing a good job. The Planning Office and Commissioners encouraged them to move forward. They were forced to wait for the Growth Policy to become adopted so they had a lot of time to work on the plan. It took three years to get to the public hearing process. The Riverdale Plan is a new document compared to what the Board saw before. January through April the group met once a week for three to four hours with Jeff Harris to review the Riverdale Plan. The long-term vision for Riverdale Plan would be land use change trending towards residential and commercial uses towards the highway. They want to provide a balanced guidance for planned development while maintaining the integrity of their neighborhood. He said strip development is not appropriate for the area. He said the plan complies with the Growth Policy. The

plan is exactly what the Board members recommended in the Growth Policy. He asked the Board to recommend approval to the Commissioners.

Mayre Flowers, Citizens for a Better Flathead, handed out written comments to the Board and said she is concerned with how the land uses may be developed and the density in the area. The proposed density may be protected, but a PUD could double the density. She asked the Board to consider more setbacks for Riverdale. She gave a slideshow presentation on setbacks. She showed different areas with speed limits and setbacks and urged the Board to consider more significant buffers for development.

Megan MaCrae, Citizens for a Better Flathead, said the commercial scales are not justified and conflict the Growth Policy. There are 228 acres of mixed use commercial in the plan. She said that is more than Whitefish and Kalispell have. There is no analysis of combined commercial approvals and no policies in the plan dealing with noise mitigation. Traffic impact should be discussed in the plan. She said at full build-out there could be 7,000 residents.

Lacy Galpin, 1885 Stillwater Road, thanked the Board and Staff for their help. She has never planned to sell her property since they started the farm. They are extremely happy farm prices are up, but they have no desire to sell or develop their property. The plan is an excellent guide for development. She has had offers on their property and is not the least bit interested in selling.

Nancy Brown, 589 Church Drive, is in favor of the plan.

Sharon Demeester, 415 Chesnut Drive, gave a handout to the Board. She went over the current development in the area and said 690 acres of commercial land is available to be developed right now and there is a huge amount of commercial land going in along Highway 93. She went over the handout of current developments with the Board. The Plan has a huge amount of commercial and will be more difficult to find business to move into commercial centers.

Bob Parker, 6945 Farm to Market Road. *Inaudible*.

Clara LaChapelle, 3580 Road, wants to know what guarantee she is going to get that Krueger won't build another gravel pit. She wanted a guarantee that Krueger won't have asphalt and a gravel

farm.

Pat Arnone, 595 Lauman Road, read a newspaper article. She said there is no need for banks and restaurants in Riverdale. The projected growth in the Valley has already double the lots needed to accommodate the growth from 2005. She wants larger setbacks.

Jen Jellison, 6495 Farm to Market Road, said there are several misconceptions. She said the plan calls for mixed use land, not straight commercial. She said there are not enough hotel rooms in the Valley to house people for the events held in the Valley. She said the Riverdale people are not responsible for what the paper says about the plan. An equine community would be great for the area.

Mark Swagger, asked if plan allowed for industrial use or low income housing.

_____, 1230 Church Drive, *inaudible*.

Gary Krueger, wished he wasn't the one that brought all the attention to the meeting. He said Riverdale is taking a big step and a lot of things are changing in the area. There are high density subdivisions coming out. He said the plan is not looking at where the resources are at.

AGENCIES

None.

**APPLICANT
REBUTTAL**

Harris said cities normally build sidewalks outside of the right of way. He discussed setbacks and where they would start. Commercial development such as shopping malls isn't appropriate or contemplated in the area. No one can argue that the plan is suggesting strip commercial or big box retail. The industrial use vision is to develop a plan to integrate residential, commercial and open space. There is a potential for light industrial in the landfill area. Affordable housing – plan has policies of housing goal. He said it is very difficult to build affordable housing when the houses are not on a municipal system. He said Krueger applied for a batch plant application but it was held at Krueger's request.

**STAFF
REBUTTAL**

None.

**BOARD
DISCUSSION**

Fleming, Robertson, and DeKort were on the Board when the Helena Flats Neighborhood Plan came through. Fleming suggested the Board start at the beginning and go through the plan.

Cross said it has been staff's position all along that the plan would go from being the Riverdale plan to being a County approved plan.

MOTION

Cross made a motion seconded by DeKort to add a sentence to page 7 stating: *The Flathead County Planning Board has reviewed the draft plan and made revisions it considered necessary to further the County's goal of building "a foundation for safe and healthy growth that preserves Flathead County's most valued characteristics".¹*

The motion was carried by quorum.

**BOARD
DISCUSSION**

Inaudible.

MOTION

Fleming made a motion seconded by Cross to change pg 9?

The motion was passed 4-3 with DeKort, Mower, and Toavs dissenting.

MOTION

Robertson made a motion seconded by DeKort to add the word commercial to page 10:

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend a paragraph on page 10 to state: *In the future as the Riverdale area transitions from agriculture to predominantly residential land uses, neighborhood commercial areas will be necessary. These neighborhood commercial areas reduce vehicle trips to Kalispell and Whitefish, provide needed goods and services such as those offered by banks, small-scale grocery shops and drug stores, and create places for community interaction. Neighborhood scale commercial and general commercial helps enhance neighborhood character, fosters a neighborhood identity, and a neighborhood feel.*

The motion was carried by quorum.

MOTION

Cross made a motion seconded by Conger to add the following sentence to page 11: *The use of Planned Unit Developments and/or clustering developments could significantly increase the number of housing units.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by DeKort to strike the following sentence from page 13: ~~*Mineral extraction and processing is not an appropriate land use within the Riverdale Neighborhood Plan area.*~~

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Robertson to add the following sentence to page 13: *Light industrial uses surrounding the Flathead County Landfill are consistent with the residential vision of the planning area.*

The motion was carried by quorum.

MOTION

Cross made a motion seconded by Fleming to amend page 14 to state: *Riverdale residents anticipate the need to change the nature of land use within the neighborhood over time due to: 1) population changes; 2) development pressures; 3) anticipated residential growth resulting in the cities of Kalispell, Whitefish, and Columbia Falls extending towards each other; and, 4) the decreasing feasibility of farming at the historical scale and extent, and 5) economic obsolescence of farming caused by the rapid increase of land values for residential development.* The proposed Riverdale Neighborhood Plan represents a comprehensive, long-term vision for the future of this land.

The motion was carried by quorum.

MOTION

Cross made a motion seconded by Fleming to add the following sentence to page 14: *Church Drive will be the primary access point for traffic generated by this development.*

The motion was carried by quorum

MOTION

Cross made a motion seconded by Robertson to add the following paragraph to page 15: *The City of Kalispell has identified the Highway 93 corridor north of Four-Mile to the county landfill as a gateway entrance to the city. Part of the planned area is in the gateway entrance. The city's growth policy has been amended to include a number of policies that establish design standards that enhance the gateway areas. This plan recognizes that effort and those policies and intends that all development in plan area which is also considered to be in the gateway area adhere to those design standards at a minimum.*

The motion was carried by quorum

MOTION

Cross made a motion seconded by Fleming to add the following paragraph to page 18: *The existing road system is barely adequate to support current traffic levels in the planning area. The neighborhood does not expect Flathead County to improve the roads to accommodate the anticipated growth in the plan. Landowners that elect to develop their property have an obligation to fully mitigate, at their own expense, the impacts that the change of land use has on the planning area and adjacent areas. It is not expected that Church Drive, even with the improved intersection at U.S. Highway 93 will be able to adequately handle the increased traffic proposed in this plan. Future residents are likely to choose alternative routes towards their destinations.*

The motion was carried by quorum

MOTION

Cross made a motion seconded by Robertson to amend a paragraph on page 19 to state: *Dust from unpaved roads is a major concern to the Riverdale Neighborhood Plan residents. As Traffic on gravel roads raises dust from the road surface, which is a public health issue. ~~continue to increase, the dust from the road surface may become a public health issue.~~ In anticipation of this issue it is the desire of the residents that all roads within the planning area be paved to County standards as development occurs with the costs born by the developer.*

The motion was carried by quorum.

MOTION

Conger made a motion seconded by Robertson to state: *At build out in approximately 20 years, traffic generated from the planning area will increase; ranging upward to ~~about~~ as much as 42,160 ~~28,000~~ vehicle trips per day. It is anticipated that the majority of these trips will have a destination in the Kalispell area, with a lesser amount of traffic going to Whitefish and/or Columbia Falls. Church Drive will continue to provide the primary east-west travel corridor, while U.S. Highway 93, Stillwater Drive and West Spring Creek Road will provide vehicle travel north to south and to the Kalispell area. Vehicle trip generation is expected to increase annually by approximately 1,406 daily trips, increasing continually as build out occurs in approximately 20 years.*

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to state: *Great care should be given when considering the location of these facilities. Future land use and transportation patterns will be influenced by these decisions. While various types of public facilities may be appropriate in almost every land type, problems can arise when they are located in close proximity to non-compatible uses. In addition to public roads, discussed in the previous section, public facilities necessary to serve Riverdale residents include police and fire protection, schools, parks, solid waste collection and disposal, and water and sewer facilities.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by DeKort to state: *It is intended that zone changes ~~will be changed when~~ will not occur until utilities are extended to a development parcel. ~~or when the developer can demonstrate feasibility of providing utilities within a five year time frame.~~ Higher density residential and commercial development will necessitate the creation of a community water supply or annexation into a municipal water district. Prior to zone changes, a safe and adequate water supply for development densities greater than 1 dwelling unit per acre will need to be demonstrated and ensured.*

MOTION

MISSING 4 MOTIONS

MOTION

Cross made a motion seconded by Conger to amend policy 1.2 to state: *Permit mixed-use structures that allow ground level neighborhood commercial and residential dwelling units on the upper level in the mixed use land use category. Each commercial unit/space shall count as a unit for density calculation.*

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend policy 2.1

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend Goal 2 to state: *Neighborhood commercial centers to provide essential and convenient goods and services to residents in the valley neighborhood plan area.*

The motion was passed 6-1 with Toavs dissenting.

MOTION

Fleming made a motion seconded by Robertson to add policy 2.3 to state: *Neighborhood commercial development shall occur only to accommodate demand from the residential development.*

The motion passed 6-1 with Toavs dissenting.

MOTION

Fleming made a motion seconded by Conger to strike Goal 3: *General commercial development to sustain the viability of business operations within the Highway 93 corridor.*

The motion passed 6-1 with Toavs dissenting.

MOTION

Conger made a motion seconded by Robertson to strike policy 3.1: *Permit commercial business development within the corridor of U.S. Highway 93 as part of the Planned Unit Development process.*

The motion passed 4-3 with Cross, Toavs and DeKort dissenting.

MOTION

Fleming made a motion seconded by Conger to amend policy 3.3: *Policy 3.3 moved to 5.7*

The motion passed 4-3 with Toavs, Cross, and DeKort dissenting.

MOTION

Fleming made a motion seconded by Robertson to amend policy 3.4: *Encourage creative and exceptional site design and landscaping plans that take into account maintaining corridor view sheds.*

The motion passed 5-2 with Toavs and Conger dissenting.

MOTION

Conger made a motion seconded by Fleming to amend policy 3.5: *Big box" commercial retail development, such as a Super Wal Mart, is not appropriate within the planning area.*

The motion 6-1 with Toavs dissenting.

MOTION

Robertson made a motion seconded by Fleming to amend policy 4.1: *Recognize the impacts to adjacent agricultural lands due to new development and ~~consider~~ require planting vegetative buffers, and consider installing signage to notify residents of agricultural traffic, and distributing information on living in an agricultural area. The Right to Farm Act ~~should~~ shall be observed according to State Law.*

The motion was carried by quorum.

MOTION

Cross made a motion seconded by DeKort to amend policy 4.2: *~~Encourage~~ Require a transition area between residential development and active farming activities. The width would be dedicated at the time of development and depend upon site design, topography, landscaping, and vegetation, among other site specific characteristics. There may be exceptions to the transitional area width to permit a reasonable use of the property.*

The motion was carried by quorum.

MOTION Fleming made a motion seconded by Conger to amend policy 5.6: ~~Promote~~ **Require** bicycle and pedestrian trails in residential development and **promote** connectivity within the neighborhood.

The motion was carried by quorum

MOTION Fleming made a motion seconded by Robertson to strike policy 5.7: ~~Identify a limited number of areas suitable for public service facilities such as parks, schools, and fire stations.~~

The motion was carried by quorum.

MOTION Conger made a motion seconded by Robertson to strike policy 5.8: ~~Revise the Flathead County Zoning Regulations to include a new zoning district for one residential dwelling unit per 2.5 acres.~~

The motion was carried by quorum.

MOTION Cross made a motion seconded by Conger to strike policy 5.9: ~~Appropriately transition single family residential developments to higher densities close to commercial and mixed-use areas.~~

The motion was carried by quorum.

MOTION Robertson made a motion seconded by Fleming to amend policy 6.1: Residential development ~~should~~ **shall** be designed to reduce impacts from lighting pollution. Development should use "Dark Skies" lighting practices.

The motion was carried by quorum.

MOTION Fleming made a motion seconded by Robertson to amend policy 6.2: When property is subdivided ~~for residential purposes~~, the end lots located at arterial and collector roads should be part of the ~~residential~~ subdivision and be required to receive access from the interior of the subdivision. All subdivision lots shall access internal local subdivision roads.

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Cross to amend policy 6.3: *Large lot residential development of 20 five acres or greater is an appropriate use within the Landfill Transition area and to five acres if within 1,320 feet of the landfill. If and when a zone change is requested for Residential Suburban (2.5-5 acres/du) within 1,320 feet of the landfill, it will be determined at that time whether 2.5 or 5 acres is appropriate.*

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Mower to amend policy 6.5: *Encourage Require usable recreational/open space areas within residential developments to be located away from arterial and collector roads.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Conger to amend policy 7.2: *Mixed use and general commercial development should be designed to reduce impacts from noise caused by incompatible uses, lighting and signs that distract from and are not consistent with the semi-rural atmosphere.*

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend policy 7.2: *More-Intense mixed-use developments should be sited in proximity to U.S. Highway 93. The All residential and commercial developments should be mutually supportive in the Mixed-Use Development area neighborhood plan.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Fleming to amend policy 7.3

??

MOTION

Robertson made a motion seconded by Fleming to amend policy 7.6 and 7.7.

Mixed use developments ~~should~~ shall have a residential component to enhance the supporting compatible general commercial uses.

Mixed-use developments ~~should~~ shall provide access onto collector roads and not local roads which pass through single family subdivisions.

The motion passed 6-1 with Conger dissenting.

MOTION

Conger made a motion seconded by Fleming to amend policy 7.5:

~~All development in the Landfill Transition Area should limit points of ingress and egress shall access from McDermott Road onto U.S 93.~~

The motion passed 6-1 with Mower dissenting.

MOTION

Fleming made a motion seconded by Dekort to amend policy 8.1:

Large lot residential development of ~~20~~ five acres or greater is an appropriate use within the Landfill Transition area.

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend policy 8.2:

Encourage light industrial, commercial and warehousing developments which are visually screened with landscaping adjacent to U.S.93 and buffered from the surrounding community.

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Cross to strike policy 8.3.

~~Discourage high traffic industrial/commercial developments.~~

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Mower to amend policy 8.4:

All development in the Landfill Transition Area ~~should limit points of ingress and egress~~ shall access from McDermott Road onto U.S 93.

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Robertson to strike policy 9.5.

The motion failed 3-4 with Conger, Toavs, Cross and DeKort dissenting.

MOTION

Conger made a motion seconded by Fleming to amend policy 9.7: *Public Aaccess to the Stillwater River shall be ensured. Public river access will be required at the time of development. ~~considered an important amenity for future generations. At the time of development additional water based accesses will be addressed.~~*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Robertson to add policy 9.9: *Development should not disturb the natural banks along the Stillwater River.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Robertson to amend policy 10.3: *~~Where possible~~ Integrate storm water collection and retention systems as part of the open space landscape to prevent storm water runoff into the rivers and streams.*

The motion was carried by quorum.

MOTION

Cross made a motion seconded by Toavs to amend policy 10.4: *There shall be no subdivisi~~ioned~~ lot entirely within of the 100-year floodplain.*

The motion was carried by quorum.

MOTION

DeKort made a motion seconded by Cross to amend policy 10.5: *Open space areas may be used to collect untreated surface runoff in lieu of discharging to natural water bodies. Untreated surface run off into the Stillwater River shall ~~be addressed at the time of development~~ not be allowed.*

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Conger to amend policy 11.2: ~~If community water systems are to be utilized on a per development basis~~ Encourage water systems that serve multiple developments.

The motion was carried by quorum.

MOTION

Conger made a motion seconded by Mower to strike policy 11.3: ~~Require all wastewater treatment systems that serve one unit to the acre or more to be designed and built to Level II design criteria.~~

The motion passed 6 to 1 with DeKort dissenting.

MOTION

Fleming made a motion seconded by Robertson to amend policy 11.4: ~~Require the installation of dry sewer lines when subdividing lands that are anticipated to be served by a municipal sewer system within 5 years.~~ All on-site community or public sewer treatment systems should be engineered to hook into a municipal sewer system as it becomes available.

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend policy 12.1: Direct access of private driveways onto US Highway 93 or arterial roads is ~~not allowed~~ prohibited.

The motion was carried by quorum.

MOTION

Robertson made a motion seconded by Fleming to amend policy 12.2: Subdivisions and developments shall be designed ~~so as to encourage~~ provide connectivity in the neighborhood road systems.

The motion was carried by quorum

MOTION

Robertson made a motion seconded by Fleming to amend policy 12.3: ~~Minimize~~ Prohibit additional direct access points onto U.S. Highway 93. ~~Additional approaches to U.S. Highway 93 are not appropriate.~~

The motion was carried by quorum.

MOTION Fleming made a motion seconded by Cross to amend policy 12.4: *Support a frontage road adjacent to U.S. Highway 93 which provides access via to Church Drive, with the exception of Majestic Valley Arena which will retain its existing approach permits.*

The motion was carried by quorum

MOTION Cross made a motion seconded by Robertson to amend policy 12.5: *All roads within the Riverdale Neighborhood Plan areas shall be paved by developers to County standards as development occurs.*

The motion was carried by quorum.

MOTION Robertson made a motion seconded by Fleming to amend goal 13: *Maintain consistently high levels of public services and public facilities to the neighborhood.*

The motion was carried by quorum

MOTION Robertson made a motion seconded by Conger to amend policy 13.2: *Encourage Require the use of contract haul for solid waste disposal within commercial and residential developments.*

The motion was carried by quorum.

MOTION Fleming made a motion seconded by Toavs to amend policy 15.1: *Existing zoning and uses shall be maintained until such time when the property owners petition the County for zone changes. consistent with this plan.*

The motion was carried by quorum.

MOTION Fleming made a motion seconded by Robertson to amend section III: *There is no public access to this parcel and shall not be used to meet public parks and open space requirements.*

The motion was carried by quorum.

MOTION Cross made a motion seconded by Fleming.

*Suburban - Residential - Large Parcel (1du/5 acre maximum)
Suburban (from 1du/2.5ac to a max 1du/5ac) (Growth Policy
Residential - Small Parcel)*

The ~~Suburban - Residential - Large Parcel Suburban~~ land use category allows a ~~maximum range of one (1) residential dwelling unit per five (5) gross acres. to one (1) dwelling unit per two and half (2.5) gross acres.~~ This land use category is intended to promote low single family residential densities. ~~in detached single family residential development at lower densities and promote areas within unincorporated Flathead County already developed with similar densities.~~ Multiple family dwellings, commercial, industrial or mineral extraction land uses are not appropriate. Public infrastructure and service availability affect the intensity and density within this land use category. Limited Agricultural uses are compatible within this category as well as local supporting public facility uses such as parks, fire stations and schools. Residential development within this category typically utilizes individual domestic wells and septic wastewater disposal systems. Single Family residential clustering and ~~Planned Unit Development~~ density bonuses are appropriate for this category. A ~~maximum density of one dwelling unit per five acre lots are~~ is appropriate if located within 1,320 feet of the landfill. ~~If and when a zone change is requested for Residential Suburban (2.5-5 acres/DU) within 1,320 feet of the landfill, it will be determined at that time whether 2.5 or 5 acres is appropriate.~~

The motion was carried by quorum.

MOTION

Cross made a motion seconded by Toavs.

The existing zoning district that is consistent with the residential Suburban - Residential - Large Parcel Land Use category is SAG-5. This plan recommends that an additional residential zoning district be created to allow for one dwelling unit per 2.5 acres.

The motion was carried by quorum.

MOTION

Cross made a motion seconded by DeKort.

**Suburban - Residential - Large Lot Low (1du/ac maximum)
(Growth Policy Residential - Large Lot)**

The Suburban - Residential - Large Lot Low land use category permits a range of single family residential development from at one (1) dwelling unit per one (1) gross acre. Multiple family dwellings, and commercial, mineral extraction and industrial uses are not appropriate within this category. Public infrastructure and service availability affect the density and intensity of development. Residential development within this category typically utilizes individual domestic wells and septic wastewater disposal systems, however public or community water systems are strongly encouraged through site design. Local supporting public facilities such as schools, fire stations and parks are appropriate. Single family (detached and attached) residential clustering and Planned Unit Development density bonuses are appropriate in this category.

The motion was carried by quorum.

MOTION

Fleming made a motion seconded by Robertson to table the Riverdale plan.

ADJOURNMENT

The meeting was adjourned at approximately 11:55 p.m. on a motion by Robertson seconded by Conger. The next meeting will be held at 6:00 p.m. on November 7, 2007.

Gene Dziza, President

Kayla Kile, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 12/12/07